

REMARKS

STATUS OF CLAIMS:

Claims 37, 39-41 and 46-55 are pending.

Claims 37, 39-41, 46, 48-50 and 52-55 are allowed.

Claims 47 and 52 are rejected. In the body of the Office Action the Examiner both rejects and allows claim 52 and provides no status for claim 51. Applicants believe based on the rejection of claims 47 and 52, that the rejection should have been for claims 47 and 51 which have the same recitation therein. Applicant's Attorney contacted the Examiner on January 6, 2004 and the Examiner concurred with the status of claims 51 and 52. Accordingly, we provide herein claim amendments to claims 47 and 51 and believe our response to be fully responsive.

By this Amendment, claims 47 and 51 are amended. Therefore, claims 37, 39-41 and 46-55 are now under consideration.

No new matter is being presented by the claim amendments, accordingly, entry and approval of same are submitted to be proper and are respectfully requested.

ITEM 3: REJECTION OF CLAIMS 47 and 52 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

In the Office Action at page 2, item 3, claims 47 and 52 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants believe the rejection should be to claims 47 and 51 for the above noted reasons.

Accordingly, claims 47 and 51 are amended to overcome the rejection under 35 U.S.C. §112, second paragraph.

Reconsideration is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that affect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 1/6/09

By: Eric Berkowitz
Eric Berkowitz
Registration No. 44,030

1201 New York Avenue N.W.
Suite 700
Washington, D.C. 20001
(202) 434-1500
Facsimile: (202) 434-1501

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on January 6, 2009
By Eric Berkowitz
Date January 6, 2009